

RECEIVED
CENTRAL FAX CENTER

SEP 22 2006

FAX COVER SHEET

Date: September 22, 2006

To: Mail Stop: AF

Fax Number: 571-273-8300

From: Jacqueline S. Bley
Patent Administrator & Paralegal

Fax Number: 650-624-4489 **Telephone Number:** 650-624-4585

Number of Pages (Including Cover): 6

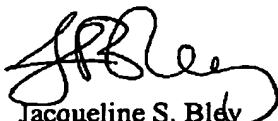
Re: **Serial Number:** 10/612,604
 Attorney Docket Number: 11068-014-999
 Art Unit 1648

Attached please find the following documents for filing:

1. Transmittal Form;
2. Fee Transmittal (2 copies); and
3. Notice of Appeal.

Thank you and please contact me if you have any questions.

Sincerely,



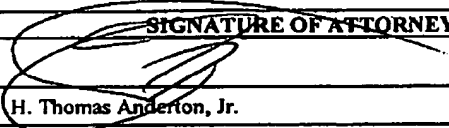
Jacqueline S. Bley
Patent Administrator & Paralegal

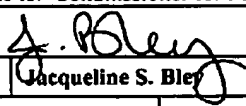
RECEIVED
CENTRAL FAX CENTER

SEP 22 2006

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/612,604
		Filing Date	July 01, 2003
		First Named Inventor	Huang, Wei
		Group Art Unit Number	1648
		Examiner Name	Chen, Stacy Brown
Total Number of Pages in This Submission	5	Attorney Docket Number	011068-014-999

ENCLOSURES <i>(check all that apply)</i>	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	


SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Print Name:	H. Thomas Anderton, Jr.		
Attorney/Reg. No.:	40,895	Dated:	9/22/06

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:			
Typed or Printed Name:	Jacqueline S. Bley	Dated:	9/22/06
Facsimile Number:	571-273-8300		

A1000/00103/DOCS/951157.1

FEE TRANSMITTAL for FY 2006 Patent fees are subject to annual revision.		<i>Complete If Known</i>	
		Application Number	10/612,604
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	July 01, 2003
		First Named Inventor	Huang, Wei
TOTAL AMOUNT OF PAYMENT (\$) 1,330		Examiner Name	Chen, Stacy Brown
		Art Unit	1648
		Attorney Docket No.	11068-014-999

[illegible]

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	H. Thomas Anderson, Jr.	Registration No. (Attorney/Agent)	40,895
Signature		Date	9/22/08

PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

SEP 22 2006

APPLICANT(S): Huang, Wei
APPLICATION NO.: 10/612,604
FILING DATE: July 01, 2003
TITLE: COMPOSITIONS AND METHODS FOR DETERMINING
THE REPLICATION CAPACITY OF A PATHOGENIC
VIRUS
EXAMINER: Chen, Stacy Brown
GROUP ART UNIT: 1648
ATTY. DKT. NO.: 011068-014-999

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this communication is being sent by facsimile transmission in accordance with §1.6(d) addressed to Mail Stop:
Amendment, No. (571) 273-8300, The Commissioner for Patents, P.O. 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: September 22, 2006

By:

Jacqueline S. Bley

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NOTICE OF APPEAL

MADAM:

Applicant hereby appeals to the Board of Patent Appeals and Interferences
from the decision of the Primary Examiner, mailed March 22, 2006, finally
rejecting claims 1-19.

Pursuant to 37 C.F.R. §1.136 (a)(3), the Commissioner is authorized to
charge all required fees, or credit any overpayment, to 502266.

US Patent Application 10/612,604

1

09/25/2006 TL0111 00000030 502266 10612604

01 FC:2255 1000.00 DA
02 FC:2401 250.00 DA

PATENT

Respectfully submitted,

Dated: September 22, 2006

By: 

H. Thomas Anderton, Jr., Reg. No.: 40,895
Monogram Biosciences, Inc.
345 Oyster Point Blvd.
South San Francisco, CA 94080
Tel.: (650) 624-4198
Fax.: (650) 635-1111